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**FILED**

**JAN 17 2019**

Attorneys for Respondent  
WILLIAM DEAN FERREIRA

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:

**Case No. 18-O-13734-MC**

**WILLIAM DEAN FERREIRA,**

**WILLIAM D. FERREIRA'S  
RESPONSE TO NOTICE OF  
DISCIPLINARY CHARGES**

**Member No.: 262495**

A Member of the State Bar.



COMES NOW RESPONDENT WILLIAM DEAN FERREIRA ("Respondent") and  
submits the following Response to the Notice of Disciplinary Charges filed in this case:

**JURISDICTION**

1. Respondent admits the allegations of Paragraph 1 of the Notice of Disciplinary  
Charges.

**COUNT ONE**

**Case No. 18-O-13734  
Former Rules of Professional Conduct, rule 3-310(C)(1)  
[Potential Conflict - Representing Multiple Clients]**

2. Respondent denies that he accepted representation of Richard Kasaine  
("Kasaine") and Sokhom Chhang ("Chhang") on or about March 20, 2017, but Respondent  
admits that he accepted representation of Kasaine on or about February 24, 2017, and that he  
accepted representation of Chhang on or about March 28, 2017, in *People v. Chhang and*

1 Kasaine, Sonoma County Superior Court, Case No. SCR 705372. Respondent also admits that at  
2 the time he provided Chhang with a retainer agreement on March 20, 2017, the interests of  
3 Kasaine and Chhang potentially conflicted in that, for example, one client could testify against  
4 the other client at trial. For this reason, Respondent provided Kasaine and Chhang with conflict  
5 waivers on March 20, 2017, which were signed by both Kasaine and Chhang. Respondent denies  
6 that he failed to inform Kasaine and Chhang of the relevant circumstances and of the actual and  
7 reasonably foreseeable adverse consequences to Kasaine and Chhang and failed to obtain the  
8 written consent of Kasaine and Chhang, in willful violation of Former Rules of Professional  
9 Conduct, rule 3-310(C)(1).

10 **COUNT TWO**

11 **Case No. 18-O-13734**  
12 **Former Rules of Professional Conduct, rule 3-310(C)(2)**  
13 **[Actual Conflict - Representing Multiple Clients]**

14 3. Respondent admits that on or about March 28, 2017, he began representing  
15 Kasaine and Chhang in *People v. Chhang and Kasaine*, Sonoma County Superior Court, Case  
16 No. SCR 705372. Respondent also admits that by the time he began representing Chhang on  
17 March 28, 2017, he had already received Chhang's inculpatory Affidavit from Kasaine, and  
18 therefore the interests of Kasaine and Chhang actually conflicted in that, for example,  
19 Respondent had drafted for Chhang, and Chhang had signed, an inculpatory Affidavit, which  
20 exposed Chhang to criminal charges. Respondent admits that he did not obtain the written  
21 consent of Kasaine and Chhang regarding the actual conflict, in violation of Former Rules of  
22 Professional Conduct, rule 3-310(C)(2), however, Respondent substantially complied with the  
23 spirit of the rule in providing Kasaine and Chhang with all necessary disclosures regarding his  
24 dual representation and the clients' right to seek independent counsel, which were acknowledged  
25 by both Kasaine and Chhang on the record at a court hearing before the Honorable Robert  
26 Laforge on April 19, 2017.

27 Specifically, when the conflict of interest was discussed, Judge Laforge queried both  
28 Kasaine and Chhang to ensure that Respondent had advised them of the conflict and the right to  
seek independent counsel. Both Kasaine and Chhang admitted they had been properly advised

1 and wished to waive any conflict regarding Respondent's dual representation. The waiver was  
2 accepted by the Court. Respondent denies that he did not inform Kasaine and Chhang of the  
3 relevant circumstances and of the actual and reasonably foreseeable adverse consequences of his  
4 representation or their right to seek independent counsel. Respondent further denies that he  
5 willfully violated Former Rules of Professional Conduct, rule 3-310(C)(2).

6 DATED: January 16, 2019

7 HANSEN, KOHLS, SOMMER & JACOB, LLP

8  
9 By: 

10 DANIEL V. KOHLS  
11 BRET N. BATCHMAN  
12 Attorneys for Respondent  
13 WILLIAM DEAN FERREIRA  
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA )  
3 ) ss.  
4 COUNTY OF PLACER )

5 I am a citizen of the United States and am employed within the county aforesaid; I am  
6 over the age of eighteen years and not a party to the within action; my business address is 1520  
7 Eureka Road, Suite 100, Roseville, California 95661.

8 On January 16, 2019, I caused to be served the within copies of:

9 **RESPONDENT WILLIAM D. FERREIRA'S RESPONSE TO NOTICE OF**  
10 **DISCIPLINARY CHARGES**

11 on the interested parties in said action addressed as follows:

12 Office of Chief Trial Counsel  
13 State Bar of California  
14 Melanie J. Lawrence, Interim Chief Trial Counsel  
15 Susan Chan, Assistant Chief Trial Counsel  
16 Robert A. Henderson, Supervising Attorney  
17 180 Howard Street  
18 San Francisco, CA 94105-1639  
19 Tel: (415) 538-2385

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- ▶ ( ) **BY MAIL** -- by placing a true copy thereof enclosed in an envelope addressed as set forth above. I am readily familiar with this office's practice whereby the mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day's mail is collected and deposited in a United States mailbox after the close of each day's business.
  - ▶ ( ) **BY FACSIMILE TRANSMISSION** -- by causing a true copy to be transmitted by facsimile transmission to the parties at the facsimile number indicated and the transmission was reported as complete and without error.
  - ▶ (XX) **BY OVERNIGHT DELIVERY** -- by placing a true copy thereof enclosed in a sealed envelope, with delivery fees paid or provided for, in a designated area for outgoing overnight mail, addressed as set forth above. In the ordinary course of business mail placed in that designated area is picked up that same day for delivery in the following business day.
  - ▶ ( ) **BY PERSONAL SERVICE** -- by causing to be delivered by hand and leaving a true copy with/for the person and at the address shown above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 16, 2019, at Roseville, California.

  
Melinda S. Matthews